

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:17-cv-07520-PGG**

Brennan Center For Justice At New York University School Of
Law v. United States Department of State
Assigned to: Judge Paul G. Gardephe
Cause: 05:552 Freedom of Information Act

Date Filed: 10/02/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Brennan Center For Justice At New
York University School Of Law**

represented by **Sirine Shebaya**
Muslim Advocates
P.O.Box 34440
Washington, DC 20043
202-897-2622
Fax: 202-508-1007
Email: sirine@muslimadvocates.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew Lieb Nellis
Americans United For Separation of
Church and State
1301 L Street NW, Suite 200
Washington, DC 20005
202-466-3234 x220
Email: nellis@au.org
TERMINATED: 08/17/2018

Eric Jonathan Rothschild
Americans United For Separation of
Church and State
1301 L Street NW, Suite 200
Washington, DC 20005
(202)-898-2133
Email: rothschild@au.org
TERMINATED: 08/16/2018

Ishita Kala
Covington & Burling LLP (NYC)
620 Eighth Avenue
New York, NY 10018-1405
212-841-1121
Fax: 212-841-1010
Email: ikala@cov.com
ATTORNEY TO BE NOTICED

Jaclyn E. Martinez Resly
Covington & Burling, LLP (DC)
850 10th Street NW
Washington, DC 20001
(202)-662-5528
Email: jmartinezresly@cov.com
TERMINATED: 02/28/2019

Johnathan James Smith
Muslim Advocates
PO Box 66408
Washington, DC 20035
(202) 897-2622
Fax: (415)-765-1774

Email: johnathan@muslimadvocates.org
TERMINATED: 02/05/2019

Kevin Barnett
Covington & Burling, LLP (DC)
850 10th Street NW
Washington, DC 20001
(202)–662–5430
Email: kbarnett@cov.com
ATTORNEY TO BE NOTICED

Mark H. Lynch
Covington & Burling, LLP (DC)
850 10th Street NW
Washington, DC 20001
202–662–5544
Fax: 202–778–5544
Email: mlynch@cov.com
ATTORNEY TO BE NOTICED

Richard B Katskee
Mayer Brown LLP
1999 K Street Nw
Washington, DC 20006
(202) 263–3222
Email: katskee@au.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Neil Kenneth Roman
Covington & Burling LLP (NYC)
620 Eighth Avenue
New York, NY 10018–1405
212–841–1000
Fax: 212–841–1010
Email: nroman@cov.com
ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of State

represented by **Christopher Kendrick Connolly**
United States Attorney's Office
SDNY
86 Chambers Street
3 Floor
New York, NY 10007
(212) 637–2761
Fax: (212) 637–2786
Email: christopher.connolly@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/02/2017	<u>1</u>	COMPLAINT against United States Department of Justice. (Filing Fee \$ 400.00, Receipt Number 0208–14196219) Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Exhibit A, September 24, 2017 Proclamation by President Trump, # <u>2</u> Exhibit B, FOIA Request, # <u>3</u> Exhibit C, Interim Response by Department of State, # <u>4</u> Exhibit D, August 24, 2017 Email from L. Qadir to Department of State, # <u>5</u> Exhibit E, August 28, 2017 Email from Department of State to L. Qadir)(Roman, Neil) (Entered: 10/02/2017)

10/02/2017	<u>2</u>	CIVIL COVER SHEET filed. (Roman, Neil) (Entered: 10/02/2017)
10/02/2017	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Brennan Center For Justice At New York University School Of Law.(Roman, Neil) (Entered: 10/02/2017)
10/02/2017	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of State, re: <u>1</u> Complaint,, Document filed by Brennan Center For Justice At New York University School Of Law. (Roman, Neil) (Entered: 10/02/2017)
10/03/2017		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge John G. Koeltl. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (kl) (Entered: 10/03/2017)
10/03/2017		Magistrate Judge Kevin Nathaniel Fox is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (kl) (Entered: 10/03/2017)
10/03/2017		Case Designated ECF. (kl) (Entered: 10/03/2017)
10/03/2017	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of State. (kl) (Entered: 10/03/2017)
10/11/2017	<u>6</u>	MOTION for Mark H. Lynch to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14231385. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Exhibit A, Certificate of Good Standing, # <u>2</u> Exhibit B, Proposed Order, # <u>3</u> Exhibit C, Declaration of Mark H. Lynch)(Lynch, Mark) (Entered: 10/11/2017)
10/11/2017	<u>7</u>	NOTICE OF APPEARANCE by Johnathan James Smith on behalf of Brennan Center For Justice At New York University School Of Law. (Smith, Johnathan) (Entered: 10/11/2017)
10/12/2017		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>6</u> MOTION for Mark H. Lynch to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14231385. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 10/12/2017)
10/12/2017	<u>8</u>	MOTION for Jaclyn E. Martinez Resly to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14236576. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Exhibit A, District of Columbia Certificate of Good Standing, # <u>2</u> Exhibit B, Texas Certificate of Good Standing, # <u>3</u> Exhibit C, Proposed Order, # <u>4</u> Exhibit D, Declaration of Jaclyn E. Martinez Resly)(Martinez Resly, Jaclyn) (Entered: 10/12/2017)
10/12/2017		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>8</u> MOTION for Jaclyn E. Martinez Resly to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14236576. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 10/12/2017)
10/17/2017		NOTICE OF CASE REASSIGNMENT to Judge Paul G. Gardephe. Judge John G. Koeltl is no longer assigned to the case. (bcu) (Entered: 10/17/2017)
10/19/2017	<u>9</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>8</u> Motion for Jaclyn E. Martinez Resly to Appear Pro Hac Vice. (As further set forth in this Order.) (Signed by Judge Paul G. Gardephe on 10/19/2017) (cf) (Entered: 10/19/2017)

10/19/2017	<u>10</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>6</u> Motion for Mark H. Lynch to Appear Pro Hac Vice. (As further set forth in this Order.) (Signed by Judge Paul G. Gardephe on 10/19/2017) (cf) (Entered: 10/19/2017)
10/19/2017	<u>11</u>	FILING ERROR – DEFICIENT DOCKET ENTRY (SEE <u>12</u> Affidavit) – AFFIDAVIT OF SERVICE of Summons and Complaint served. United States Department of State served on 10/3/2017, answer due 12/4/2017. Service was made by Certified Mail. Document filed by Brennan Center For Justice At New York University School Of Law. (Martinez Resly, Jaclyn) Modified on 10/20/2017 (db). As per ecf_error email correspondence received on 1/20/17 @ 11:39am. (Entered: 10/19/2017)
10/20/2017	<u>12</u>	AFFIDAVIT OF SERVICE (FOIA CASE) of Summons and Complaint,, served. United States Department of State served on 10/3/2017, answer due 11/2/2017. Service was made by Certified Mail. Document filed by Brennan Center For Justice At New York University School Of Law. (Martinez Resly, Jaclyn) (Entered: 10/20/2017)
10/25/2017	<u>13</u>	NOTICE OF PRETRIAL CONFERENCE: Initial Conference set for 1/4/2018 at 10:15 AM in Courtroom 705, 40 Centre Street, New York, NY 10007 before Judge Paul G. Gardephe, as further set forth in this order. (Signed by Judge Paul G. Gardephe on 10/25/2017) (jwh) (Entered: 10/25/2017)
10/27/2017	<u>14</u>	MOTION for Richard Brian Katskee to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14298668. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> certificates of good standing, # <u>2</u> Text of Proposed Order proposed order, # <u>3</u> Affidavit declaration in support)(Katskee, Richard) (Entered: 10/27/2017)
10/30/2017		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>14</u> MOTION for Richard Brian Katskee to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14298668. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 10/30/2017)
11/06/2017	<u>15</u>	NOTICE OF APPEARANCE by Christopher Kendrick Connolly on behalf of United States Department of State. (Connolly, Christopher) (Entered: 11/06/2017)
11/06/2017	<u>16</u>	ANSWER to <u>1</u> Complaint,, Document filed by United States Department of State.(Connolly, Christopher) (Entered: 11/06/2017)
11/06/2017	<u>17</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>14</u> Motion for Richard B. Katskee to Appear Pro Hac Vice. IT IS HEREBY ORDERED that Applicant is admitted to practice Pro Hac Vice in the above–captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. (Signed by Judge Paul G. Gardephe on 11/6/17) (yv) (Entered: 11/07/2017)
11/09/2017	<u>18</u>	MOTION for Andrew Lieb Nellis to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14346783. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Certificate of good standing, # <u>2</u> Text of Proposed Order granting admission, # <u>3</u> Affidavit in support)(Nellis, Andrew) (Entered: 11/09/2017)
11/09/2017	<u>19</u>	MOTION for Eric Jonathan Rothschild to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14348344. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Certificates of good standing, # <u>2</u> Text of Proposed Order granting admission, # <u>3</u> Affidavit in support)(Rothschild, Eric) (Entered: 11/09/2017)
11/13/2017		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>19</u> MOTION for Eric Jonathan Rothschild to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14348344. Motion and supporting papers to be reviewed by Clerk's Office staff., <u>18</u> MOTION for Andrew Lieb Nellis to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14346783. Motion and

		supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 11/13/2017)
11/16/2017	<u>20</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>19</u> Motion for Eric Jonathan Rothschild to Appear Pro Hac Vice. (Signed by Judge Paul G. Gardephe on 11/15/2017) (ama) (Entered: 11/16/2017)
11/16/2017	<u>21</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>18</u> Motion for Andrew Lieb Nellis to Appear Pro Hac Vice. (Signed by Judge Paul G. Gardephe on 11/15/2017) (ama) (Entered: 11/16/2017)
12/21/2017	<u>22</u>	MOTION to Expedite <i>Freedom of Information Act Action</i> . Document filed by Brennan Center For Justice At New York University School Of Law.(Roman, Neil) (Entered: 12/21/2017)
12/21/2017	<u>23</u>	MEMORANDUM OF LAW in Support re: <u>22</u> MOTION to Expedite <i>Freedom of Information Act Action</i> . . Document filed by Brennan Center For Justice At New York University School Of Law. (Roman, Neil) (Entered: 12/21/2017)
12/21/2017	<u>24</u>	DECLARATION of Jaclyn E. Martinez Resly in Support re: <u>22</u> MOTION to Expedite <i>Freedom of Information Act Action</i> .. Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Exhibit A – October 26, 2017 E–mail, # <u>2</u> Exhibit B – November 1, 2017 E–mail, # <u>3</u> Exhibit C – November 7, 2017 E–mail, # <u>4</u> Exhibit D – November 7, 2017 E–mail Reply, # <u>5</u> Exhibit E – November 10, 2017 E–mail, # <u>6</u> Exhibit F– November 15, 2017 E–mail, # <u>7</u> Exhibit G – November 17, 2017 E–mail, # <u>8</u> Exhibit H – November 21, 2017 E–mail, # <u>9</u> Exhibit I – November 22, 2017 E–mail, # <u>10</u> Exhibit J – November 29, 2017 E–mail, # <u>11</u> Exhibit K – Proposed Order)(Martinez Resly, Jaclyn) (Entered: 12/21/2017)
12/21/2017	<u>25</u>	MEMORANDUM OF LAW in Opposition re: <u>22</u> MOTION to Expedite <i>Freedom of Information Act Action</i> . . Document filed by United States Department of State. (Connolly, Christopher) (Entered: 12/21/2017)
12/21/2017	<u>26</u>	DECLARATION of Eric F. Stein in Opposition re: <u>22</u> MOTION to Expedite <i>Freedom of Information Act Action</i> .. Document filed by United States Department of State. (Attachments: # <u>1</u> Exhibit 1)(Connolly, Christopher) (Entered: 12/21/2017)
12/21/2017	<u>27</u>	REPLY MEMORANDUM OF LAW in Support re: <u>22</u> MOTION to Expedite <i>Freedom of Information Act Action</i> . . Document filed by Brennan Center For Justice At New York University School Of Law. (Martinez Resly, Jaclyn) (Entered: 12/21/2017)
12/27/2017	<u>28</u>	JOINT LETTER addressed to Judge Paul G. Gardephe from Neil K. Roman dated December 27, 2017 Document filed by Brennan Center For Justice At New York University School Of Law.(Roman, Neil) (Entered: 12/27/2017)
12/29/2017	<u>29</u>	NOTICE OF APPEARANCE by Sirine Shebaya on behalf of Brennan Center For Justice At New York University School Of Law. (Shebaya, Sirine) (Entered: 12/29/2017)
01/04/2018		Minute Entry for proceedings held before Judge Paul G. Gardephe: Telephone Conference held on 1/4/2018. (mr) (Entered: 01/08/2018)
01/10/2018	<u>30</u>	MEMORANDUM OPINION & ORDER re: <u>22</u> MOTION to Expedite <i>Freedom of Information Act Action</i> filed by Brennan Center For Justice At New York University School Of Law. For the reasons stated above, Plaintiff's motion to expedite is granted. Defendant will produce all non–exempt materials and a declaration–consistent with Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973)–explaining what exemptions apply to any materials withheld. Both the production of non–exempt materials and the Vaughn index will be produced by February 9, 2018. The Clerk of the Court is directed to terminate the motion (Dkt. No. 22). (Signed by Judge Paul G. Gardephe on 1/10/2018) (mro) (Entered: 01/10/2018)
02/23/2018	<u>31</u>	LETTER addressed to Judge Paul G. Gardephe from AUSA Christopher Connolly dated February 23, 2018 re: government's request for leave to file motion for summary judgment. Document filed by United States Department of State. (Attachments: # <u>1</u> Exhibit)(Connolly, Christopher) (Entered: 02/23/2018)

02/28/2018	<u>32</u>	LETTER addressed to Judge Paul G. Gardephe from Jaclyn E. Martinez Resly dated February 28, 2018 re: Defendant's Request for Leave to Move for Summary Judgment. Document filed by Brennan Center For Justice At New York University School Of Law.(Martinez Resly, Jaclyn) (Entered: 02/28/2018)
02/28/2018	<u>33</u>	ORDER. It is hereby ORDERED that the following schedule will apply to Plaintiff's motion to compel a Vaughn index: 1. Plaintiff's motion is due on March 08, 2018; 2. Defendant's opposition is due on March 15, 2018. So ordered. (Motions due by 3/8/2018. Responses due by 3/15/2018) (Signed by Judge Paul G. Gardephe on 2/28/2018) (rjm) (Entered: 03/01/2018)
03/15/2018	<u>34</u>	MOTION to Compel United States Department of State to Comply with the Court's January 10, 2018 Order . Document filed by Brennan Center For Justice At New York University School Of Law.(Roman, Neil) (Entered: 03/15/2018)
03/15/2018	<u>35</u>	MEMORANDUM OF LAW in Support re: <u>34</u> MOTION to Compel United States Department of State to Comply with the Court's January 10, 2018 Order . . Document filed by Brennan Center For Justice At New York University School Of Law. (Roman, Neil) (Entered: 03/15/2018)
03/15/2018	<u>36</u>	MEMORANDUM OF LAW in Opposition re: <u>34</u> MOTION to Compel United States Department of State to Comply with the Court's January 10, 2018 Order . . Document filed by United States Department of State. (Connolly, Christopher) (Entered: 03/15/2018)
04/16/2018	<u>37</u>	ORDER denying <u>34</u> Letter Motion to Compel. For the reasons stated above, Plaintiff's motion to compel is denied. The Clerk of the Court is directed to terminate the motion (Dkt. No. 34). (Signed by Judge Paul G. Gardephe on 4/16/2018) (mro) (Entered: 04/17/2018)
04/16/2018		Set/Reset Deadlines: Cross Motions due by 6/28/2018. Responses due by 7/12/2018 Replies due by 7/22/2018. (mro) (Entered: 06/12/2018)
06/26/2018	<u>38</u>	JOINT LETTER MOTION for Extension of Time to <i>Complete Briefing on the Parties' Cross-Motions for Summary Judgment</i> addressed to Judge Paul G. Gardephe from Neil K. Roman dated June 26, 2018. Document filed by Brennan Center For Justice At New York University School Of Law.(Roman, Neil) (Entered: 06/26/2018)
06/29/2018	<u>39</u>	ORDER granting <u>38</u> Letter Motion for Extension of Time. The application is granted. (Signed by Judge Paul G. Gardephe on 6/29/2018) (tro) (Entered: 06/29/2018)
06/29/2018		Set/Reset Deadlines as to Responses due by 7/23/2018 Replies due by 8/2/2018. (tro) (Entered: 06/29/2018)
07/05/2018	<u>40</u>	NOTICE OF APPEARANCE by Ishita Kala on behalf of Brennan Center For Justice At New York University School Of Law. (Kala, Ishita) (Entered: 07/05/2018)
08/01/2018	<u>41</u>	MOTION for Kevin Barnett to Appear Pro Hac Vice <i>as Counsel for Plaintiff</i> . Filing fee \$ 200.00, receipt number 0208-15395145. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Exhibit A – DC Certificate of Good Standing, # <u>2</u> Exhibit B – MA Certificate of Good Standing, # <u>3</u> Exhibit C – Proposed Order, # <u>4</u> Exhibit D – Declaration of Kevin Barnett)(Barnett, Kevin) (Entered: 08/01/2018)
08/01/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>41</u> MOTION for Kevin Barnett to Appear Pro Hac Vice <i>as Counsel for Plaintiff</i>. Filing fee \$ 200.00, receipt number 0208-15395145. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ma) (Entered: 08/01/2018)
08/02/2018	<u>42</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>41</u> Motion for Kevin Barnett to Appear Pro Hac Vice. So Ordered. (Signed by Judge Paul G. Gardephe on 8/2/2018) (js) (Entered: 08/02/2018)
08/02/2018	<u>43</u>	MOTION for Summary Judgment . Document filed by United States Department of State.(Connolly, Christopher) (Entered: 08/02/2018)

08/02/2018	<u>44</u>	MEMORANDUM OF LAW in Support re: <u>43</u> MOTION for Summary Judgment . . Document filed by United States Department of State. (Connolly, Christopher) (Entered: 08/02/2018)
08/02/2018	<u>45</u>	DECLARATION of Eric F. Stein in Support re: <u>43</u> MOTION for Summary Judgment .. Document filed by United States Department of State. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Connolly, Christopher) (Entered: 08/02/2018)
08/02/2018	<u>46</u>	DECLARATION of James V.M.L. Holzer in Support re: <u>43</u> MOTION for Summary Judgment .. Document filed by United States Department of State. (Connolly, Christopher) (Entered: 08/02/2018)
08/02/2018	<u>47</u>	DECLARATION of David M. Hardy in Support re: <u>43</u> MOTION for Summary Judgment .. Document filed by United States Department of State. (Connolly, Christopher) (Entered: 08/02/2018)
08/02/2018	<u>48</u>	CROSS MOTION for Partial Summary Judgment . Document filed by Brennan Center For Justice At New York University School Of Law.(Roman, Neil) (Entered: 08/02/2018)
08/02/2018	<u>49</u>	MEMORANDUM OF LAW in Support re: <u>48</u> CROSS MOTION for Partial Summary Judgment . <i>and in Opposition to Defendant's Motion for Summary Judgment.</i> Document filed by Brennan Center For Justice At New York University School Of Law. (Roman, Neil) (Entered: 08/02/2018)
08/02/2018	<u>50</u>	DECLARATION of Ishita Kala in Support re: <u>48</u> CROSS MOTION for Partial Summary Judgment .. Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Appendix of Exhibits, # <u>2</u> Exhibit 01 Berman 2/9/18 Letter to Roman, # <u>3</u> Exhibit 02 Stein Decl Ex 2_A1b, # <u>4</u> Exhibit 03 NBC Donald Trump's Plan for a Muslim Database Draws Comparisons to Nazi Germany, # <u>5</u> Exhibit 04 2015.12.07 Donald J. Trump Statement on Preventing Muslim Immigration, # <u>6</u> Exhibit 05 2015.12.08 MSNBC – Donald Trump on Muslim Travel Ban, # <u>7</u> Exhibit 06 2016.03.09 CNN – Anderson Cooper 360 Degrees Transcript, # <u>8</u> Exhibit 07 2016.10.09 The American Presidency Project, Presidential Debate at Washington Univ. in St. Louis, # <u>9</u> Exhibit 08 Exec. Order No. 13,769, 82 Fed. Reg. 8977 (Jan. 27, 2017), # <u>10</u> Exhibit 09 2017.01.29 Giuliani – Trump asked me how to do a Muslim ban legally, # <u>11</u> Exhibit 10 2017.01.29 N.Y. Times – How Trumps Rush to Enact an Immigration Ban, # <u>12</u> Exhibit 11 NYT_Trump's Immigration Ban Who is Barred and Who is Not, # <u>13</u> Exhibit 12 Exec. Order No. 13,780, 82 Fed. Reg. 13,209 (Mar. 9, 2017), # <u>14</u> Exhibit 13 DOD – Citizenship Likely an Unreliable Indicator of Terrorist Threat to the United States, # <u>15</u> Exhibit 14 Maintaining Enhanced Vetting Capabilities, # <u>16</u> Exhibit 15 Harsha Panduranga, et al., Extreme Vetting & the Muslim Ban, Brennan Ctr. for J. (2017), # <u>17</u> Exhibit 16 Transcript of Oral Argument at 3, Trump v. Hawaii, 138 S. Ct. 923 (2018) (No. 17–965), # <u>18</u> Exhibit 17 Fact Sheet – Proclamation on Enhancing Vetting Capabilities and Processes for Detecting (2017.09.24), # <u>19</u> Exhibit 18 Fact Sheet – President Donald J. Trump Strengthens Security Standards For Traveling to Am (2017.09.24), # <u>20</u> Exhibit 19 FAQ_ Proclamation on Enhancing Vetting Capabilities and Processes for Detect, # <u>21</u> Exhibit 20 2017.09.24 President Donald J. Trump Announces Enhanced National Security Measures Press, # <u>22</u> Exhibit 21 2017.09.26 State Dept News Briefing, # <u>23</u> Exhibit 22 Application (17A560) for Stay Pending App. to the U.S. Ct. App. 4th Cir. at 5, Trump v. IRAP, # <u>24</u> Exhibit 23 Oral Argument at 1.56.45, Intl Refugee Assistance Proj. v. Trump, 857 F.3d 554 (2017) (No. 17–1351), # <u>25</u> Exhibit 24 2017.07.12 Reuters – Elizabeth Culliford, Exclusive U.S. Demands Nations Provide More Traveler Data, # <u>26</u> Exhibit 25 2017.01.27 CBN News – Brody File Exclusive – President Trump Says Persecuted Christians Will Be Given, # <u>27</u> Exhibit 26 Donald Trump (@realDonaldTrump), Twitter (June 5, 2017, 3.29 a.m.), # <u>28</u> Exhibit 27 2017.03.15 CNN – Second Defeat for the White House on the Presidents Travel Ban, # <u>29</u> Exhibit 28 Br. for Pet., Trump v. Haw., No. 17–965 (Feb. 2018), # <u>30</u> Exhibit 29 Reply Brief for the Petitioners Trump v. Hawaii)(Roman, Neil) (Entered: 08/02/2018)
08/02/2018	<u>51</u>	RULE 56.1 STATEMENT. Document filed by Brennan Center For Justice At New York University School Of Law. (Roman, Neil) (Entered: 08/02/2018)
08/02/2018	<u>52</u>	MEMORANDUM OF LAW in Opposition re: <u>48</u> CROSS MOTION for Partial Summary Judgment . <i>and in further support of the government's motion for summary</i>

		<i>judgment</i> . Document filed by United States Department of State. (Connolly, Christopher) (Entered: 08/02/2018)
08/02/2018	<u>53</u>	CERTIFICATE OF SERVICE of Plaintiff's Cross-Motion for Partial Summary Judgment and Opposition to Defendant's Motion for Summary Judgment served on Defendant on July 9, 2018. Document filed by Brennan Center For Justice At New York University School Of Law. (Roman, Neil) (Entered: 08/02/2018)
08/02/2018	<u>54</u>	REPLY MEMORANDUM OF LAW in Support re: <u>48</u> CROSS MOTION for Partial Summary Judgment . . Document filed by Brennan Center For Justice At New York University School Of Law. (Roman, Neil) (Entered: 08/02/2018)
08/02/2018	<u>55</u>	DECLARATION of Ishita Kala in Support re: <u>48</u> CROSS MOTION for Partial Summary Judgment .. Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Exhibit 30 – Dep't of Justice, OIP Guidance)(Roman, Neil) (Entered: 08/02/2018)
08/02/2018	<u>56</u>	CERTIFICATE OF SERVICE of Reply in Further Support of Plaintiff's Cross-Motion for Partial Summary Judgment served on Defendant on August 2, 2018. Document filed by Brennan Center For Justice At New York University School Of Law. (Roman, Neil) (Entered: 08/02/2018)
08/15/2018	<u>57</u>	MOTION for Eric Jonathan Rothschild to Withdraw as Attorney . Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Affidavit of Richard Katskee)(Katskee, Richard) (Entered: 08/15/2018)
08/15/2018	<u>58</u>	PROPOSED ORDER FOR WITHDRAWAL OF ATTORNEY. Document filed by Brennan Center For Justice At New York University School Of Law. Related Document Number: <u>57</u> . (Katskee, Richard) (Entered: 08/15/2018)
08/16/2018	<u>59</u>	ORDER GRANTING MOTION FOR LEAVE TO WITHDRAW AS COUNSEL <u>57</u> Motion to Withdraw as Attorney. The motion of Eric Rothschild for leave to withdraw as counsel for Plaintiff in the above-captioned action is before the Court. The Court orders that the motion is granted and that Eric Rothschild has withdrawn as counsel for Plaintiff, effective on today's date. Attorney Eric Jonathan Rothschild terminated (Signed by Judge Paul G. Gardephe on 8/15/2018) (cf) (Entered: 08/16/2018)
08/16/2018	<u>60</u>	MOTION for Andrew Lieb Nellis to Withdraw as Attorney . Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Affidavit of Andrew L. Nellis)(Nellis, Andrew) (Entered: 08/16/2018)
08/16/2018	<u>61</u>	PROPOSED ORDER FOR WITHDRAWAL OF ATTORNEY. Document filed by Brennan Center For Justice At New York University School Of Law. Related Document Number: <u>60</u> . (Nellis, Andrew) (Entered: 08/16/2018)
08/17/2018	<u>62</u>	ORDER GRANTING MOTION FOR LEAVE TO WITHDRAW AS COUNSEL <u>60</u> Motion to Withdraw as Attorney. The motion of Andrew L. Nellis for leave to withdraw as counsel for Plaintiff in the above-captioned action is before the Court. The Court orders that the motion is granted and that Andrew L. Nellis has withdrawn as counsel for Plaintiff, effective on today's date. Attorney Andrew Lieb Nellis terminated (Signed by Judge Paul G. Gardephe on 8/17/2018) (cf) (Entered: 08/17/2018)
08/29/2018	<u>63</u>	NOTICE OF CHANGE OF ADDRESS by Sirine Shebaya on behalf of Brennan Center For Justice At New York University School Of Law. New Address: MUSLIM ADVOCATES, PO Box 34440, Washington, DC, USA 20043, (202) 897-2622. (Shebaya, Sirine) (Entered: 08/29/2018)
08/29/2018	<u>64</u>	NOTICE OF CHANGE OF ADDRESS by Johnathan James Smith on behalf of Brennan Center For Justice At New York University School Of Law. New Address: Muslim Advocates, PO Box 34440, Washington, DC, USA 20043, (202) 897-2622. (Smith, Johnathan) (Entered: 08/29/2018)
12/27/2018	<u>65</u>	STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (ne) (Entered: 01/07/2019)

12/27/2018		Case Stayed (ne) (Entered: 01/17/2019)
02/01/2019	<u>66</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Johnathan James Smith to Withdraw as Attorney . Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Affidavit of Johnathan Smith)(Smith, Johnathan) Modified on 2/12/2019 (ldi). (Entered: 02/01/2019)
02/01/2019	<u>67</u>	PROPOSED ORDER FOR WITHDRAWAL OF ATTORNEY. Document filed by Brennan Center For Justice At New York University School Of Law. Related Document Number: <u>66</u> . (Smith, Johnathan) (Entered: 02/01/2019)
02/05/2019	<u>68</u>	ORDER GRANTING MOTION FOR LEAVE TO WITHDRAW AS COUNSEL granting <u>66</u> Motion to Withdraw as Attorney. The motion of Johnathan Smith for leave to withdraw as counsel for Plaintiff in the above-captioned action is before the Court. The Court orders that the motion is granted and that Johnathan Smith has withdrawn as counsel for Plaintiff, effective on today's date. Attorney Johnathan James Smith terminated. (Signed by Judge Paul G. Gardephe on 2/5/2019) (jca) (Entered: 02/05/2019)
02/26/2019	<u>69</u>	LETTER addressed to Judge Paul G. Gardephe from Jaclyn E. Martinez Resly dated February 26, 2019 re: Withdrawal of Appearance. Document filed by Brennan Center For Justice At New York University School Of Law.(Martinez Resly, Jaclyn) (Entered: 02/26/2019)
02/28/2019	<u>70</u>	MEMO ENDORSEMENT on re: <u>69</u> Letter filed by Brennan Center For Justice At New York University School Of Law. ENDORSEMENT: SO ORDERED. (Attorney Jaclyn E. Martinez Resly terminated.) (Signed by Judge Paul G. Gardephe on 2/28/2019) (rro) (Entered: 03/01/2019)
03/29/2019	<u>71</u>	ORDER denying without prejudice to renewal by formal motion <u>43</u> Motion for Summary Judgment; granting in part to the extent and denying without prejudice in part <u>48</u> Motion for Partial Summary Judgment. For the reasons stated above, Plaintiff's motion for partial summary judgment is granted to the extent it requests that the Court order in camera review of the requested records to determine the applicability of the presidential communication privilege. The remainder of Plaintiffs motion is denied without prejudice, pending this Court's in camera review. Defendant's motion for summary judgment is denied without prejudice to renewal of the motion following the Court's in camera review. Defendant will provide the Court with copies of the five documents at issue in this case by April 8, 2019. The Clerk of Court is directed to terminate the motions (Dkt. Nos. 43, 48). SO ORDERED. (Signed by Judge Paul G. Gardephe on 3/29/2019) (anc) (Entered: 04/01/2019)
04/05/2019	<u>72</u>	LETTER MOTION for Extension of Time <i>to submit records for in camera review</i> addressed to Judge Paul G. Gardephe from AUSA Christopher Connolly dated April 5, 2019. Document filed by United States Department of State.(Connolly, Christopher) (Entered: 04/05/2019)
04/05/2019	<u>73</u>	ORDER granting <u>72</u> Letter Motion for Extension of Time. The Application is granted. SO ORDERED. (Signed by Judge Paul G. Gardephe on 4/5/2019) (jca) (Entered: 04/05/2019)
04/15/2019	<u>74</u>	LETTER addressed to Judge Paul G. Gardephe from AUSA Christopher Connolly dated April 15, 2019 re: lodging of records for ex parte, in camera review. Document filed by United States Department of State.(Connolly, Christopher) (Entered: 04/15/2019)